



200 S. Biscayne Boulevard
Suite 300, Miami, FL 33131

www.brzoninglaw.com

305.377.6231 office
305.377.6222 fax
mlarkin@brzoninglaw.com

VIA ELECTRONIC SUBMITTAL

April 10, 2023

Deborah Tackett, Historic Preservation & Architecture
Officer
Planning Department
City of Miami Beach
1700 Convention Center Drive, 2nd Floor
Miami Beach, Florida 33139

RE: **HPB23-0572** Certificate of Appropriateness for
Demolition and Design of a New Single-Family Home at
7801 Atlantic Way, Miami Beach, Florida

Dear Ms. Tackett,

This firm represents 7801 AW LLC (the "Applicant"), the owner of the oceanfront property located at 7801 Atlantic Way (the "Property") in the City of Miami Beach (the "City"). Please consider this letter the Applicant's letter of intent in connection with a Certificate of Appropriateness for demolition of the existing single-family home and design of a beautiful, new single-family home.

Property Description. The Miami-Dade County Property Appraiser has assigned Folio No. 02-3202-004-0230 to this Property. See Exhibit A, Property Appraiser Summary Report. The Property is approximately 16,000 square feet in size, and located on the northeast corner of Atlantic Way and Dalia Street (78th Street). It is located in the RS-3 Single Family Residential District, and in the Altos Del Mar Historic District (the "ADM District"). According to the Miami Beach Historic Properties Database, the existing structure on the Property is classified as Contributing within the ADM District. See below Figure 1, Historic Properties Database Excerpt.

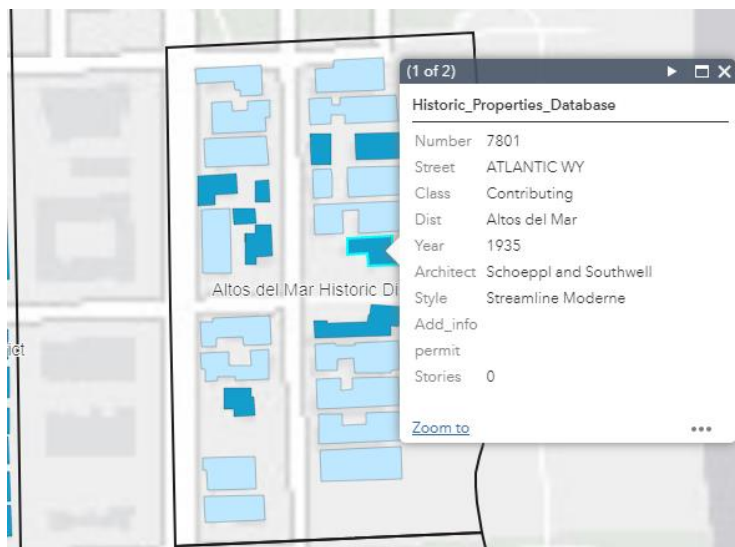


Figure 1, Historic Properties Database Excerpt

ADM District. The Historic Resources Report, prepared by Heritage Architectural Associates and included in the application materials, provides that when the ADM District was created eleven (11) of the lots were vacant and thirteen (13) were developed with single-family homes built over a number of years. Two of the buildings dated from the 1920s, six dated from the 1930s, three dated from the 1940s, one dated from the 1950s, and one was constructed after 1951. Meaning, the ADM District did not have an entirely developed typical style at its inception, but rather, a set of aspirational guidelines for future development, which the Applicant intends to follow. Further, the Historic Resources Report explains that of the original seven (7) waterfront structures that were built when the ADM District was created, only three (3) remain.

Existing Structure. The Property was originally developed in 1935 with a two-story single-family home. In 1994, there were some significant modifications to the home including enclosing a porch on the east elevation, a new shingle roof, kitchen, electric, plumbing, windows and doors, floors, and air condition. In 2014, due to excavation and construction activities of the neighboring home, the then-owner of the Property obtained permits for the demolition of a failing site wall and installation of helical piles to reinforce the existing footing. Building records on file with the City have been included in the application materials.

The Applicant has retained Ganem Consulting Engineering to conduct a structural analysis of the home and prepare a structure report (the "Structural Report"), which is included in the application materials. The Structural Report included testing the concrete elements of the home and identifying areas that may compromise the structural integrity.

The Structural Report also considered the flood elevation levels and analyzed how today's standards impact the structural integrity. Based on testing of the concrete and the existing elevation of the home, the Structural Report concludes that the home does not meet today's standards and cannot be brought to compliance. Further, based on the condition of the concrete and significant cracking found, the home is compromised to resist future loads safely and without danger of collapse. Meaning the home cannot be raised or adaptively remodeled to meet today's safety standards.

In addition to the compromised structure, the existing home, as many of the neighboring homes were, is at serious risk of flooding and damage. Pursuant to the analysis and summary prepared by Moffatt & Nichol, and included in the application materials, the first habitable floor of the existing home does not comply with Florida Building Code and the Florida Department of Environmental Protection 100-year storm elevation requirements for habitable structures located seaward of the Coastal Construction Control Line. The home would have to be strong enough to be raised over five (5) feet to comply. Based on the existing condition of the structure, it is a significant undertaking and dangerous for the structure. Also, the walls of the existing first habitable floor do not comply with the breakaway wall requirements of the American Society of Civil Engineers ("ASCE") standards for Flood Resistant Design and Construction 24. This creates a dangerous condition for the existing home and adjacent structures. The Applicant's goal is to address the existing and continued structural issues with a beautiful new design.

Proposed Project. The Applicant proposes to demolish the existing, at-risk home, and construct an exquisitely designed, Modern style two-story residence that complies with local, state, and federal building requirements for oceanfront homes (the "Project"). The Project has been designed to comply with all relevant coastal code requirements. Additionally, the design addresses many of the specific ADM District Design Guidelines for new homes. The multi-frontage home is oriented with the main entrance facing Atlantic Way, making it immediately visibly to pedestrians and vehicles. However, each frontage is purposefully designed and distinct. The flow of the home with separated buildings, with an internal courtyard, outdoor living areas, water features, and swimming pool effectively breaks the massing and provides significant additional open space, as is the suggested layout in the ADM District Design Guidelines. The home features an attractive lower-scale structure, also known as the cottage, with garage entrance on the west façade accessible from Atlantic Way. The cottage is connected to the main home with an intricately designed walkway. The design of the two structures ensures plenty of light and air sources on multiple sides of every room.

The purposeful layout of the home, with varying projections, cut-outs, window shapes, balconies, and overhangs, provides substantial movement and minimal impact on abutting neighbor and the pedestrian beach access. The proposed outdoor spaces are distinct and have definite shape, as suggested in the ADM District Design Guidelines. Also, as preferred, the outdoor living areas are designed to be part of the major habitable space and these additions are at the edges of the building in an effort to soften the building's presence in the neighborhood.

The Project is sited similarly to the neighboring residences and adheres to the historical massing requirements of the neighborhood. The design includes a pool and pool deck in the rear yard, as well as thousands of square feet of beautiful, lush landscaping between the pool and rear property line. Further, the building is merged with the land around its entire periphery and the courtyard area cascades down to seamlessly integrate with the natural landscape and dunes.

The Project complies with the City Code of Ordinances (the "Code"), and the more specific ADM District requirements. The size of the proposed home is approximately 4,673 square feet, which is below the maximum allowable 4,700 square feet. The non-habitable space and garage are also below the maximum permitted of 1,700 square feet and 600 square feet, at 1,556 square feet and 500 square feet respectively. The ADM District regulations also require for every one (1) square foot of floor area above twenty-five (25) feet in height, there must be one square foot of courtyard or garden space, open to the sky, at the ground level within the building area of the lot. In this case, the home more than complies with only 1,335 square feet above twenty-five (25) feet and courtyard areas that are open to the sky of 1,473 square feet. The home complies with the maximum permitted height of thirty-seven (37) feet. Additionally, the home is centrally located on the narrow fifty (50) feet wide lot with side setbacks of 5'-1" on the north and south, which minimizes any protentional impacts on the neighboring lots. The design sufficiently addresses the intent of the Code with the massing centrally located and significant courtyard space.

Compliance with Certificate of Appropriateness Criteria. The Project satisfies the applicable criteria for demolition and new construction in a local historic district. The design, scale, and massing of the new-home more closely complies with the ADM District Land Development Regulations and Design Guidelines remains sensitive to and compatible with the surrounding area, which contains similar newly constructed homes. Section 118-564 of the Code provides that the examination of architectural drawings for consistency with the certificate of appropriateness criteria includes aesthetics, appearances, safety, and function of any new or existing structure, public interior space

and physical attributes of the project in relation to the site, adjacent structures and properties, and surrounding community. Safety, in this case, is of the utmost importance due to the Property's oceanfront location, and the proposed design does not sacrifice any aesthetic integrity.

Compliance with the Altos Del Mar Design Guidelines. The Project is consistent with specific goals of the ADM District Design Guidelines. The new home will contribute to and be consistent with the characteristics of the ADM District. The proposed design will advance the quality of design and construction within the Altos Del Mar single-family historic district, which the existing home does not do because it does not comply with current flood or land development regulations. The Project also maintains the historic street grid, and will more closely follow the historic building pattern for setbacks, yard areas and open space. Specifically, the Project provides the smaller cottage massing at the front, open courtyard space, and the main home central within the long, thin lot. The majority of the buildings in the ADM District are new construction, which are consistent with the land development regulations, and the new home will be of a similarity of scale. Further, the new home mitigates any incongruity that would be created between old and new buildings by complying with the coastal flood protection regulations, and the limitations on building height, setbacks and massing.

The Property immediately abuts the public pedestrian beach access on Dahlia Street, and the goal is to protect and enhance this public pedestrian access. The Project, with expansive rear setback, also preserves unobstructed views from beachfront homes toward the water. The proposed lush landscaping also preserves and enhances the informal character and lushness of the vegetation in public and private spaces.

The Project sufficiently addresses the specific ADM District Neighborhood Design Guidelines as follows:

a. Perimeter Walls and Fences - Metal picket fences should be kept low and should be setback from the property line to allow for a traditional landscape barrier; largely transparent. CBS/ Stucco walls shall not exceed three (3) feet in height and may incorporate metal picket fencing above.

The proposed perimeter wall and fence are kept low and are sensitive to the dual frontages of the Property. The perimeter wall is purposefully a combination of concrete and metal picket elements to add interest and highlight pedestrian and vehicular entrances. Also, the proposed location fencing allows for the traditional landscape barrier along the eastern end of the Property.

b. Flowering Street Plants - Whenever possible, the actual flowering plant corresponding to the original street name shall be planted along that street and used as a decorative landscape theme.

The landscape plan provides for a variety of lush landscaping. Specifically, there are rows of flowering plants proposed along Dahlia Street and within the internal courtyard. Immediately abutting the south property line are small flowering trees, such as Jamaica Capers.

c. Landscaping - Those areas east of the rear terrace setback (eighty [80] feet west of the Miami Beach Bulkhead line) shall be landscaped with vegetation native to the South Florida coastal region.

The eastern lawn area of the Property will be landscaped with vegetation that is native to the South Florida coastal region.

d. Landscaping at Street Ends - Ground covers, shrubs and vines should be kept low in order to maintain views through to the ocean. Shade should be provided by palms, seagrape or other non-invasive canopy trees.

The ground covers and shrubs will be kept low to maintain views to the ocean, and also, soften the home's massing. Various shade opportunities are provided by palms and Seagrapes, as well as Florida native Green Buttonwood and Silver Buttonwood trees.

The Project sufficiently addresses the specific ADM District Building and Site Design Guidelines, for new homes, as follows:

a. Relationship to Adjacent Buildings - Houses should be designed in a manner which is sensitive to the massing and siting of adjacent structures. In particular, taller portions of new houses shall be kept to a minimum and should endeavor not to broadside the outdoor spaces of adjacent properties.

The Project is sensitive to the massing of the adjacent home to the north and the public beach access to the south. It complies with the ADM District setbacks and height, which strategically keep massing central to the lot. The proposed outdoor spaces are also centrally located on the lot, but allow for sufficient interaction with the indoor living spaces. The purposeful layout of the home, with varying projections, cut-outs, window shapes, balconies, and overhangs, provides substantial movement and minimal impact on abutting neighbor and the pedestrian beach access.

b. Positive Outdoor Space - Outdoor spaces should be designed to have a distinct and definite shape and should have a good degree of enclosure whether for aesthetic or security purposes. Whenever possible views through to other spaces should be encouraged.

The multiple outdoor spaces have distinct and definite shape that follows the architectural articulations of the home. There are multiple continuous views from the home to the rear yard.

c. Courtyards and Half-Hidden Gardens - Gardens and other small outdoor spaces should be designed to be semi-private; neither placed fully in front of the house, nor fully in the back. Gardens should occur in a halfway position, side-by-side with the house, in a location which is half hidden from the street, and half exposed. Similarly, courtyards should not be fully enclosed and should have at least one view out to some larger open space. Active courtyards are encouraged and should incorporate foot paths which connect rooms which open directly onto to the space.

The Project features multiple courtyard moments and foot paths connecting spaces. The front of the home provides a semi-private courtyard with a mix of pavers and landscape driveway into the garage and leading towards the pedestrian entrance. Then, between the cottage and the main house is a delicately shaded courtyard, with water feature to the south of the ground floor entrance.

d. Main Entrances - Collins Avenue buildings should have a clearly recognizable front entrance facing the avenue while oceanfront buildings should have this entrance facing Atlantic Way. Entrances should be immediately visible to pedestrians and vehicles even if vehicular entrances are located elsewhere. In this regard, each facade of the house should be given equal dignity to that of the front facade and the front entrance should further incorporate a bold, visible shape which stands out from the facade of the building and is distinguishable as the main entrance.

The Property is a corner lot with frontages on Atlantic Way and Dahlia Street (78th Street). The entrance is purposefully accessible and clearly recognizable from both frontages. All facades are substantially articulated and providing bold and visible shapes. The architecture is framed with metal trellises that add shading and interest on various levels.

e. Entrance Transition - A transition space between the street and the front door is encouraged to subtly demarcate the gradient from public to private. It is recommended that the path which connects the street and entrance be brought through this transition space (such as a half-hidden garden), and the space should be marked by a change of light, a change of direction, a change of surface, a change of level, and perhaps by gateways which make a change of enclosure, and above all with a change of view.

The Project, one of the few corner lots in the ADM District, features a transition space on Atlantic Way and Dahlia Street. There are distinct courtyard moments and that are accessible from both frontages. The front of the home provides a semi-private courtyard with a mix of pavers and landscape driveway into the garage and leading towards the pedestrian entrance. The roof overhangs, eyebrows and metal trellis details enhance the changes of view.

f. Car Ports and Garages - Place car ports and garages in such a relationship to the house that the shortest route from the parked car into the house is always through the main entrance. For non-oceanfront lots, locate the garage off Atlantic Way or a side street; and for oceanfront properties off Atlantic Way or a side street. Make the parking space for the car into an actual room which creates a positive and graceful place where the car stands.

The proposed garage location and orientation is the shortest route from the parked car into the house through the main entrance. For this oceanfront lot, the garage is located off Atlantic Way.

g. Building Wings - Houses should be designed so that their massing breaks down into wings which correspond, approximately, to the most important natural social grouping within the house. Make each wing long and narrow never more than 30' feet in width.

The Project features two wings connected by a walkway. The natural social grouping is within the center of the main house.

h. Long Thin House - Design the wings of the house to be narrow such that rooms occur one after the other rather than clustered into a large volume. The result will produce a surprisingly narrow house which embraces the site.

The proposed interior flow of the rooms is consistent with the narrow site. The rooms embrace the site and ensure there is a natural progression of the social gathering and each room has plenty of natural light.

i. Private Cottage - A cottage or wing with some sort of autonomy from the main house should be provided. It is recommended the cottage or wing be connected but visibly distinct from the main house and far away from the master bedroom. It should perhaps have its own private entrance and roof.

The Project provides a smaller cottage at the front of the property. The floor above the garage is an a-symmetrical shape to provide the narrowest garage massing and a slight overhang. This minimizes the massing at the pedestrian level. The cottage wing is distinct from the main home. The two massing are connected by a courtyard on the ground floor and a walkway on the main level.

j. Cascade of Roofs - The building complex should be designed with a coherent system of roofs; the largest, widest roofs over those parts of the building which are most significant and the lesser roofs cascading off the large roofs in a manner congruent with the hierarchy of social spaces underneath them.

The Project provides a beautiful articulation of roof lines with a-symmetrical overhangs and metal trellises. The massing of the main level is slightly larger than the level below, softening the massing at the pedestrian level and allowing for more shaded courtyard moments. The largest roofs are over the main building. The roof lines and eyebrow details sufficiently frame the living spaces.

k. Usable Roofs - Some portion of almost every roof system should be made usable for a terrace or garden. Place the roof garden or terrace at various stories, and always make it possible to walk directly out onto the roof garden or terrace from some lived-in part of the building.

The roof of the main home will be accessible via a spiral stair case. The spiral stair case is purposefully accessible from an interior second floor balcony. The roof top will feature a landscape buffer between the mechanical equipment and the terrace. The location of the spiral stair case and roof terrace ensures minimal impact on the abutting public roads and the public pedestrian beach access.

l. Light on Two Sides of Every Room - It is recommended that each room be located so that it is adjacent to an outdoor space on at least two (2) sides so

natural light and air circulation is prevalent in every room from more than one direction.

The purposeful layout of the proposed home ensures that there is plenty of natural light and air circulation in every room. Many of the windows are wide and run the entire height of the bedroom.

m. Outdoor Terraces, Galleries and Balconies - Outdoor terraces, balconies and galleries should be designed as habitable, outdoor rooms with a depth of at least six feet. Whenever possible these and other small additions such as arcades, balconies, niches, outdoor seats, awnings, trellised rooms, and the like are recommended at the edges of the buildings in an effort to soften the building's presence in the neighborhood.

The covered terrace in the rear yard and balconies on the main and second level are at least six feet in depth. These outdoor areas soften the new home and ensure there is plenty of accessible interaction between the indoor and outdoor living spaces.

n. Connection to the Site - Merge the building to the land around it by including paths, terraces and steps around its edges. Place them deliberately to make the boundaries between house and yard somewhat ambiguous; so that it is impossible to say exactly where the building stops and earth begins.

The Project features beautiful paths, landscaping, and water features that soften the architectural. In the rear yard, the swimming pool wraps to the north side yard, which deliberately blends the boundaries between house and yard.

Sea Level Rise and Resiliency Criteria. The Project advances the sea level rise and resiliency criteria in Section 133-50(a) of the City Code, as follows:

1. A recycling or salvage plan for partial or total demolition shall be provided.

A recycling and salvage plan for the partial demolition proposed will be provided at permitting.

2. Windows that are proposed to be replaced shall be hurricane proof impact windows.

New windows will be hurricane proof impact windows.

3. Where feasible and appropriate, passive cooling systems, such as operable windows, shall be provided.

The Applicant will provide, where feasible, passive cooling systems.

4. Whether resilient landscaping (salt tolerant, highly water-absorbent, native or Florida friendly plants) will be provided.

All landscaping will be Florida friendly and resilient.

5. Whether adopted sea level rise projections in the Southeast Florida Regional Climate Action Plan, as may be revised from time-to-time by the Southeast Florida Regional Climate Change Compact, including a study of land elevation and elevation of surrounding properties were considered.

The Applicant is proactively addressing sea level rise projections by raising the first floor of the new home to 11'-7". The Applicant is working with infrastructure advisory firm, Moffatt & Nichol to provide consulting services relating the Project's compliance with the various, applicable coastal regulations.

6. The ground floor, driveways, and garage ramping for new construction shall be adaptable to the raising of public rights-of-ways and adjacent land.

The raised first-floor ensures that the home is adaptable to the raising of both abutting public rights-of-ways and adjacent land in the future.

7. Where feasible and appropriate. All critical mechanical and electrical systems are located above base flood elevation.

All mechanical and electrical systems will be located above base flood elevation.

8. Existing buildings shall be, where reasonably feasible and appropriate, elevated to the base flood elevation.

The proposed home is entirely new construction located well-above base flood elevation.

9. When habitable space is located below the base flood elevation plus City of Miami Beach Freeboard, wet or dry flood proofing systems will be provided in accordance with Chapter of 54 of the City Code.

No habitable space is located below base flood elevation.

10. Where feasible and appropriate, water retention systems shall be provided.

Where feasible, water retention systems will be provided.

11. Cool pavement materials or porous pavement materials shall be utilized.

Cool pavement or porous pavement materials will be utilized where any new pavement is proposed.

12. The design of each project shall minimize the potential for heat island effects on-site.

The proposed design provides significant landscaping, courtyard spaces, and non-air-conditioned shaded living areas to strategically minimize the potential for heat island effects on site.

Conclusion. Granting this Certificate of Appropriateness will permit the development of a beautifully-designed, Modern single-family home that will add much more value and safety to the surrounding neighborhood. The Project will be resilient to sea level rise, and the programming of the Project is consistent with the ADM Design Guidelines, ensuring compatibility with the neighborhood. We look forward to your favorable review of the application. If you have any questions or comments in the interim, please give me a call at 305-377-6231.

Sincerely,



Michael Larkin

cc: Emily K. Balter
Alejandro Moreno

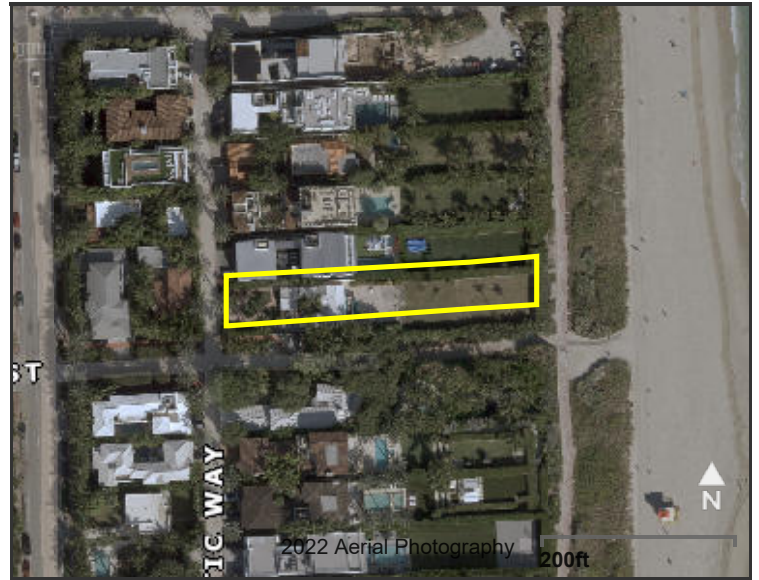


OFFICE OF THE PROPERTY APPRAISER

Summary Report

Generated On : 3/20/2023

Property Information	
Folio:	02-3202-004-0230
Property Address:	7801 ATLANTIC WAY Miami Beach, FL 33141-2120
Owner	7801 AW LLC
Mailing Address	18200 NE 19 AVE #101 NORTH MIAMI BEACH, FL 33162 USA
PA Primary Zone	0800 SGL FAMILY - 1701-1900 SQ
Primary Land Use	0101 RESIDENTIAL - SINGLE FAMILY : 1 UNIT
Beds / Baths / Half	4 / 4 / 0
Floors	2
Living Units	1
Actual Area	2,542 Sq.Ft
Living Area	2,109 Sq.Ft
Adjusted Area	2,124 Sq.Ft
Lot Size	16,000 Sq.Ft
Year Built	1935



Assessment Information			
Year	2022	2021	2020
Land Value	\$9,600,018	\$4,880,168	\$4,600,148
Building Value	\$174,593	\$132,538	\$132,538
XF Value	\$10,655	\$10,742	\$10,828
Market Value	\$9,785,266	\$5,023,448	\$4,743,514
Assessed Value	\$5,525,792	\$5,023,448	\$4,743,514

Benefits Information				
Benefit	Type	2022	2021	2020
Non-Homestead Cap	Assessment Reduction	\$4,259,474		
Note: Not all benefits are applicable to all Taxable Values (i.e. County, School Board, City, Regional).				

Short Legal Description	
ALTOS DEL MAR NO 1 PB 31-40 LOT 6 BLK 5 & PORT LYING EAST & ADJACENT WEST OF EROSION LINE PER PB 105-62 LOT SIZE 16000 SQ FT M/L	

Taxable Value Information			
	2022	2021	2020
County			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$5,525,792	\$5,023,448	\$4,743,514
School Board			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$9,785,266	\$5,023,448	\$4,743,514
City			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$5,525,792	\$5,023,448	\$4,743,514
Regional			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$5,525,792	\$5,023,448	\$4,743,514

Sales Information			
Previous Sale	Price	OR Book-Page	Qualification Description
06/21/2022	\$9,800,000	33255-0917	Qual by exam of deed
02/10/2022	\$100	33024-4220	Corrective, tax or QCD; min consideration
11/14/2019	\$6,120,000	31699-3407	Trustees in bankruptcy, executors or guardians
03/01/1993			